

MINUTES OF BOARD CORPORATE MEETING #278

July 12, 2005

(Meetings of the Board Corporate convene immediately after the Board meetings.)

Members Present:

Daniel W. Varin, Chairman
William Penn, V. Chairman
Frank Perry
Timothy Brown
Jon Schock
William Stamp, III
June Swallow
William Parsons
Alicia Good*

Members Absent:

Robert Griffith

*Member designee

Staff Present:

Kathleen Crawley
Elaine Maguire
Brian Riggs
Beverly O'Keefe
Tracy Shields
William Riveroso
Rob Christina

Guests:

Eugenia Marks, Audubon Society of RI

1. CALL TO ORDER

With a quorum present, Chairman Varin called the meeting to order at 12:56 P.M.

2. APPROVAL OF MINUTES:

On a motion by Ms. Swallow, seconded by Mr. Penn, the Board unanimously approved the minutes of the June meeting.

3. CHIEF FINANCIAL OFFICER'S REPORT

Mr. Penn moved acceptance of the June CFO report with Mr. Parsons seconding the motion. The CFO report was approved unanimously.

4. COMMITTEE REPORTS AND ACTION ITEMS RESULTING

A. Public Drinking Water Protection Committee—Chair Robert Griffith

(1) RI Public Drinking Water Protection Program, Phase III:

- (a) Town of North Kingstown, Watershed/Well Head Protection Land Acquisition Project. Town of North Kingstown Plat 39, Lots 14, 18, 19 and 21; 9.8 Acres. Appraisal Value \$500,000.00; Contribution Price Requisition \$485,000.00; Requested Amount: \$485,000.00; Recommended Payment: \$485,000.00. Request for Approval

Mr. Perry explained that the Town of North Kingstown was requesting to purchase 4 parcels of land within their well head area. There was significant discussion at the committee regarding this issue. There is a map in attachment C showing where the parcels are located. The circles are around the well draw-down areas and the yellow is the recharge area. The pink is the Town's well head protection area. This is a request to approve eligibility and a payment request for purchase of development rights, subject to submittal of all the appropriate documents including a Class I survey and final approval by Mary Kay, program legal counsel upon submittal of all documents needed for closing.

Mr. Penn wanted it noted that the purchase price of \$485,000.00 is below the appraised value, but the appraised value for 9.8 acres is extremely high.

Mr. Stamp further explained that the reason there had been much discussion at the committee level was that when he looked at the total green area on the map, there was a huge number of acres and when considering the purchase of 9.8 for that amount of money versus the remaining land within the area, it is a considerable amount of money, which warrants understanding. With the specific area around the well being purchased from such a broad array of various zones, it could be a very expensive proposition in the future.

Chairman Varin added that the cost reflects the overall real estate market and the inflation of land prices statewide. The Chairman also clarified that this was a purchase of development rights as opposed to fee simple.

Mr. Perry moved approval with Ms. Swallow seconding. The motion carried unanimously.

(b) City of Woonsocket, Land Acquisition Protection Project—Request for Eligibility Approval. Request for Approval

Mr. Perry explained that this was also a land acquisition project. It was a request for eligibility approval and was included at enclosure 10. There are 4 parcels involved in this project as well. They are adjacent to their watershed and can be seen on the enclosed map. The only real question raised regarding Parcels 2 and 3, involved a piece of land which is going to be subdivided. With the purchasing of the vacant portion of that parcel and then purchasing Parcel 2, the question was whether a conservation easement or a life estate should be purchased from the person who is living there. The committee decided that the life estate was the better option because the house could be torn down at the end of the life estate, and the property would belong to the water supplier.

On that basis, Mr. Perry moved approval of the eligibility and valuation for these properties not to exceed a total of \$621,200.00 subject to all program requirements. Mr. Schock seconded and the motion passed unanimously.

B. Finance Committee—Mr. William J. Penn

(1) Board Corporate Legal Counsel Appointments:

Mr. Penn explained that the Finance Committee had these 3 reappointments of legal counsels for the Board Corporate.

(a) Armando Monaco, Esquire, Board Corporate Legal Counsel

The first reappointment is for Armando Monaco and his fee is \$140 per hour. Mr. Penn moved reappointment with Ms. Swallow seconding. This appointment passed unanimously.

- (b) Normand G. Benoit, Esquire, and Eugene Bernardo, Esquire, Bond Counsel for the Watershed Protection Bond Fund

The second reappointment is for bond counsel for the watershed protection bond fund. This is for Normand Benoit and Eugene Bernardo. Their fees are \$350 and \$200 per hour respectively. These fees are on the high side. However, this is not the sort of thing that you can put out to request for proposals because it is an existing bond issue and they are on record as bond counsel. Therefore, Mr. Penn moved reappointment with a second by Mr. Parsons. The motion carried unanimously.

- (c) Karen S. D. Grande, Esquire, Bond Counsel for the Providence Project Bond Fund

The third reappointment is for the reappointment of Karen S. D. Grande for the Providence Project Bond Fund. Despite being in the same business as Mr. Benoit, her fee is \$185 per hour with a \$5.00 per year escalator.

Mr. Penn moved approval with a second by Ms. Good, and the motion carried unanimously.

5. NEW BUSINESS - None

6. OTHER BUSINESS - None

7. ADJOURNMENT

On a motion by Mr. Stamp, seconded by Mr. Schock, the Board unanimously voted to adjourn at 1:08 P.M.

Prepared by,

Tracy Shields
Personnel Aide

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